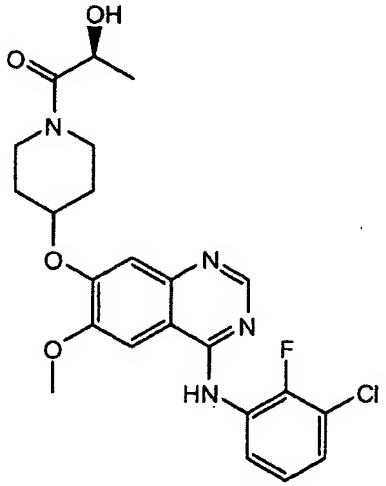
REMARKS

Response to Restriction Requirement

The Examiner has required Applicants to elect a single species from those recited in original claims 21 and 22, to which the claims shall be restricted if no generic claim is finally held to be allowable. In response to this requirement, Applicants hereby elect the species:

(2*S*)-1-[4-({4-[3-chloro-2-fluoroanilino]-6-methoxyquinazolin-7-yl}oxy)piperidin-1-yl]-1-oxopropan-2-ol

having the structure:



and which is the 8th named compound in original claim 21; is the 4th named compound in original claim 22; and is the compound of Example 4[5].

Applicants respectfully traverse this requirement for election of species for the reason that they do not agree with the Examiner's position that the original claims lack unity of invention. However, inasmuch as the above amendments direct all claims to the elected species, as further discussed below, the traversal is moot and therefore is not explained further herein.

All claims read on the elected species. It is believed that Applicants have thus fully responded to the restriction requirement for election of species.

Claim Amendments

By the above amendments, original claims 1-35 have been cancelled and new claims 36-53 have been added. The new claims are all directed to the elected species, pharmaceutically acceptable salts or esters thereof, pharmaceutical compositions comprising the elected species or a pharmaceutically acceptable salt or ester thereof, and methods of treatment by administration of the elected species, or a pharmaceutically acceptable salt or ester thereof.

New claims 36-38 are directed toward the elected species, or a pharmaceutically acceptable salt, or a pharmaceutically acceptable ester thereof. Support for these claims is found, *inter alia*, in original claims 21 and 22, wherein the elected species is the 8th named compound and 4th named compound, respectively. Original claims 21 and 22 are dependent on generic claim 1, and the elected species is a compound that falls within the scope of original claim 1.

New claims 39-41 are directed toward a pharmaceutical composition which comprises the elected species, or a pharmaceutically acceptable salt, or a pharmaceutically acceptable ester thereof, in association with a pharmaceutically acceptable diluent or carrier. Support therefore is found, *inter alia*, in original claim 24, which was directed toward a pharmaceutical composition, *inter alia*, of original claim 21 or claim 22.

New claims 42-44 are directed toward a method for treating a cancer in a warm-blooded animal, which comprises administering an effective amount of the elected species, or a pharmaceutically acceptable salt, or a pharmaceutically acceptable ester thereof. Support therefore is found, *inter alia*, in original claim 33, which is directed toward such method by the administration of a compound, or a pharmaceutically acceptable salt or ester thereof, as defined, *inter alia,* in original claim 21 or claim 22.

New claims 45-51 are dependent on claim 42 or 43, and are directed toward specific cancers, being lung cancer, non-small cell lung cancer, breast cancer, head and neck cancer, gastric cancer, colorectal cancer and ovarian cancer, respectively. Support for these claims is found, *inter alia*, in the specification at page 89, line 26 to page 90, line 2.

New claim 52 is directed toward the method of claim 42 or 43 and further comprises the simultaneous, sequential or separate administration of an effective amount of an additional anti-tumour agent. Support for this claim is found in the specification at page 90, line 14 through page 92, line 12.

New claim 53 is directed toward a method for treating psoriasis in a warm-blooded animal which comprises administering an effective amount of the elected species, or a pharmaceutically acceptable salt, or a pharmaceutically acceptable ester thereof. Support therefore is found, *inter alia*, in the specification as filed at page 86, lines 29-31.

It should be apparent from the above that all claims are within the elected subject matter and are fully supported by the specification. The above amendments are made without abandonment or prejudice to Applicants' right to prosecute any subject matter deleted thereby in one or more continuing applications. Following entry of these amendments, claims 36-53 remain pending in this application.

Information Disclosure Statement

The Examiner's attention is drawn to the further Information Disclosure Statement being submitted herewith. It is respectfully requested that the documents cited therein be considered at the time the Examiner takes up this application for the first Action on the merits, and that such consideration be acknowledged by returning an initialed copy of the form PTO-1449 to the undersigned.

EXCEPT for issue fees payable under 37 C.F.R. § 1.18, the Director is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit

Account 50-0310. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. § 1.136(a)(3).

Respectfully Submitted,
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Date: December 1, 2008 By: _____

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